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REMARKS:Status

Claims 1 to 6 and 8 to 21 have been cancelled without prejudice or disclaimer of subject matter. Claims 22 to 33 have been added. Claims 22 and 28 are the independent ones of the new claims. Reconsideration and further examination are respectfully requested.

Rejections

Claims 3 and 13 to 21 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,121,382 (Yang). Claims 1, 2, 4 to 6, and 8 to 12 were rejected under 35 U.S.C. § 103(a) over Yang in view of U.S. Patent No. 6,580,697 (Gardner).

New claim 22 is reproduced below:

22. (New) A method, including the steps of:
receiving first and second induced messages at a first device from a second device, said first and second induced messages induced by said first device;
sending jam packet messages from said first device to said second device, said jam packet messages interfering with said second device sending said second induced messages;
comparing how many of said first induced messages are received by said first device when said jam packet messages are not present with how many of said second induced messages are received by said first device when said jam packet messages are present; and
determining whether or not a protocol mismatch exists between said first device and said second device based on a result of said step of comparing.

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The applied art fails to disclose or to suggest the foregoing features of claim 22, at least with respect to "comparing how many of said first induced messages are received by said first device when said jam packet messages are not present with how many of said second induced messages are received by said first device when said jam packet messages are present."

With respect to the previously pending claims, the Office Action acknowledged that "Yang et al. does not teach determining a count of said second messages received at said first device." Applicant submits that Yang likewise fails to teach the comparing step of new claim 22, which compares how many messages are received.

Again with respect to the previously pending claims, Gardner was cited for teaching determination of "a count of said second messages received at said first device." Office Action, page 5, citing col. 4, lines 28 to 37 of Gardner. Applicant notes that the cited portion of Gardner discusses that "[t]here may be an increase in the number of received messages *that contain frame check sequence (FCS) errors or that have been erroneously truncated* (referred to as 'runts')" (emphasis added). Applicant submits that a number of message that contain FCS errors or that have been truncated is not the same as a number of messages that are received. Thus, Gardner also is not seen to teach comparing how many messages are received, as recited by new claim 22.

For at least the foregoing reasons, claim 22 is believed to be allowable over the art applied in the Office Action. Claims 23 to 27 are likewise believed to be allowable.

Claims 28 to 33 recite a device that substantially implements the steps of claims 22 to 27. Accordingly, those claims also are believed to be allowable.

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Closing

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney can be reached at (614) 486-3585. All correspondence should continue to be directed to the address indicated below.

Respectfully submitted,



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